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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMPNAY PETITION NO.339 OF 2004

Office Notes, Office Memoranda of Coram, appearances, Court's Orders or directions and Registrar's Orders	Court's or Judge's Orders

Mr. H.K.Sudhakara for the petitioners.

No appearance for the respondents.

CORAM : ANOOP V. MOHTA,J.

DATED : 12th July, 2007

P.C.

1. The petitioner based upon the agreement with the respondent company as the arrears of satellite charges to the extent of Rs.3,43,212/- (Rupees three lacs forty three thousand two hundred twelve only) remained unpaid including the security deposit, astatutory notice was issued and served on 21st March, 2003. The respondent company not even replied the same. The petitioner, therefore has filed a present petition and invoked the

provisions of Section 433 and 434 of the Companies Act-1956.

2. On 10th March, 2005, as none appeared for the company and even otherwise, on the basis of averments made, admitted the present petition and directed to comply with all the requirements of advertisement. The petitioner has filed affidavit dated 1st June, 2007, to that effect.

3. None appeared for the company. There is no resistance to the averments made by the petitioner. The contents of the petition as well as the notice has remained uncontroverted.

4. The claim is within limitation.

5. Taking all this into the account, the present petition is

allowed in terms of prayer clause (a) and (b).

6. The concerned parties to take necessary steps and complied with all the formalities, in accordance with law.

(ANOOP V. MOHTA,J.)